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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/657,441	09/08/2003	Simon Alan Jones	G&C 30566.256-US-U1	1424

55895 7590 10/09/2007

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ART UNIT	PAPER NUMBER
2628	

MAIL DATE	DELIVERY MODE
10/09/2007	PAPER

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10657441	9/8/2003	JONES ET AL.	G&C 30566.256-US-U1

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ART UNIT	**PAPER**
2628	20070829

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BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Application Number: 10/657,441
Filing Date: September 08, 2003
Appellant(s): JONES ET AL.

Jason S. Feldmar (39,187)
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 07/23/2007 appealing from the Office action mailed 02/21/2007.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

No amendment after final has been filed.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

WITHDRAWN REJECTIONS

The following grounds of rejection are not presented for review on appeal because they have been withdrawn by the examiner:

35 USC 101 rejection concerning claims 1-21.

35 USC 112, 2nd paragraph rejection concerning claims 7-12, and 20.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

5,444,836	Hollingsworth et al.	8-1995
6,049,340	Matsushita et al.	4-2000

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

1. Claims **1-3**, **7-9**, **13-15**, and **19-21** are rejected under 35 U.S.C. 103(a) as being unpatentable over Hollingsworth et al. (5,444,836).

In regards to claims **1**, **7**, **13**, **19-21** –

Hollingsworth discloses an apparatus and method for creating and applying flexible, user defined rules for placement of graphical objects in a computer aided drafting (CAD) application. The placement subsystem (100) and its relationship to other subsystems are shown in Fig. 1. Placement subsystem (100) communicates with database subsystem (102) over bidirectional communication link (110) to retrieve information and attributes associated with graphical objects to be placed on a graphical image. Database subsystem (102) may represent any database means capable of storing and

retrieving information (claims **13**, **21**: storage medium readable by computer). Placement subsystem (100) manipulates the information retrieved from database subsystem (102) by applying user-defined rules to determine the proper placement of the graphical objects on the graphical image (claims **1.c.i-ii.**, **7.b.iii.1-2.**, **13.c.i-ii.**, **19-21**) [col. 4 lines 64-66]. Thus, the rules of Hollingsworth provides where the object should be placed without having to physically move the object to the location. Placement subsystem (100) then communicates with drawing subsystem (104) over communication link (112) to instruct drawing subsystem (104) where to draw each graphical object on the graphical image [col. 4 lines 66-68]. Drawing subsystem (104) transforms information to graphical output device (106) over communication link (114) to create the desired graphical image (claims **1.a.**, **7.b.i.**, **13.a.**, **19-21**). The resulting graphical image constructed by graphical output device (106) shows the graphical objects placed on the graphical image according to the user defined rules manipulated by placement subsystem (100) [col. 5 lines 1-8]. As shown in Fig. 2, these subsystems (100) (102) (104) may coexist on a common computer system (210) (claims **7**, **20**: a computer having memory) [col. 5 line 14]. The rule-processing component (200) represents the rule application (claim **7.b.**) means for automatically reading and applying the placement rules defined by the user of the rule definition means [col. 5 lines 58-61]. Graphical objects may be lines, symbols, geometric shapes, text, or other constructs which are to be placed on the graphical image (claims **1.b.**, **7.b.ii.**, **13.b.**) [col. 1 lines 24-26].

In regards to claims **2**, **8**, **14** –

Fig. 2 depicts additional detail of the components within placement subsystem (100). A user of placement subsystem (100) uses rule creation and modification component (202) to create a textual file specifying the user defined placement rules to be applied in placement of all graphical objects (claims, **2**, **8**, **14**). The rule specification file contains a structured record for each set of rules to be applied to a particular class of graphical objects being placed [col. 5 lines 32-39]. As shown in Fig. 2, the placement subsystem (100) exists on a common computer system (210) (claim **8**) [col. 5 line 14] and includes database subsystem (102) representing any database means capable of storing and retrieving information (claim **14**).

In regards to claims **3**, **9**, **15** –

The rule-processing component (200) of Fig. 2 reads the rule specification file from storage device (204) to initiate the creation of graphical image on graphical output device (106). Each structured record read from storage device (204) includes a database query element to be applied by rule processing component (200) to database subsystem (102) [col. 5 lines 61-68]. The application of the query element to database subsystem (102) results in retrieval of zero or more information records. Each information record retrieved by the application of the query element to database subsystem (102) contains information regarding nominal placement of a graphical object to be placed on the graphical image (claims **3**, **9**, **15**) [col. 6 lines 1-7]. As shown in Fig. 2, these subsystems (100) (102) (104) may coexist on a common computer system (210) (claim **9**) [col. 5 line 14] and includes database subsystem (102)

representing any database means capable of storing and retrieving information (claim **15**).

2. Claims **4**, **10**, **16** are rejected under 35 U.S.C. 103(a) as being unpatentable over Hollingsworth et al. (5,444,836) in view of Matsushita et al. (6,049,340).

Hollingsworth teaches the limitations of claims **4**, **10**, **16** with the exception of disclosing the object as a door. However, Matsushita discloses a computer aided design (CAD) system in which the user selecting generates graphic drawings and placing figures representing objects such as walls and doors on a screen.

In combination with the rationale of claims **1**, **7**, and **13** respectfully, Hollingsworth further teaches the ability to place text on the graphical image. The text blocks specify the TS text string drawing keyword statement to invoke the text drawing features of placement subsystem (100) in drawing the placeable text block on the graphical image (claim **4**: door number) [col. 21 lines 17-23]. Furthermore, TS is a high-level keyword statement used to specify that a text string is to be drawn to represent the placeable object on the graphical image [Hollingsworth: col. 16 lines 45-47]. This keyword is part of the user-defined rules. Thusly, by defining rules for a text string to be drawn on the object provides a means for automatically labeling a graphical object with text, such as with a number as claimed.

As shown in Fig. 2, the CAD system of Matsushita is a multi-window CAD system (claim **10**: computer system) and runs a CAD program (claim **16**: executable instructions) that is used to generate graphic drawings of buildings [col. 3 lines 63-65].

Referring to Fig. 1, a command-selecting unit (1) selects a command to place a figure at a desired position with desired shape [col. 3 lines 40-41]. This figure may be a door as shown in Figs. 7, 8, 9, and 10 (claims: **4**, **10**, **16**: object as a door) [col. 8 line 15].

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include the generation of graphic drawings of buildings of Matsushita with the automatic placement of Hollingsworth with Matsushita because the automatic placement reduces the burden on the user of manually applying complex drafting rules in creating or modifying graphical images [Hollingsworth: col. 3 lines 64-66] within computer aided design systems. As Hollingsworth determines, graphical objects may be lines, symbols, geometric shapes, text, or other constructs which are to be placed on the graphical image [Hollingsworth: col. 1 lines 24-26]. Thus, doors may be included within these graphical objects.

(10) Response to Argument

Appellant argues the "location" as set forth in the pending claims differs from the "location" used in the prior art rejections (Hollingsworth, Matsushita). Examiner respectfully disagrees. Appellant determines the claimed "location" is a specified identified location for the object that is defined without moving or placing the object (*Brief of Appellants*, pg. 11, lines 1-5). The method/system of Hollingsworth (5,444,836) teaches creating and applying flexible, user defined rules for placement of graphical objects in a computer aided drafting (CAD) application. User-defined rules are used to determine the proper placement (i.e. location) of the graphical objects on the graphical

image [col. 4 lines 64-66]. Placement subsystem (100) then communicates with drawing subsystem (104) over communication link (112) to instruct drawing subsystem (104) where to place each graphical object on the graphical image [col. 4 lines 66-68]. The resulting graphical image constructed by graphical output device (106) shows the graphical objects placed on the graphical image according to the user-defined rules [col. 5 lines 1-8]. For clarity, each rule contains information regarding nominal placement of the graphical object, where the nominal placement includes offset coordinates relative to the placement of a related graphical object. The placement rules are used to modify the nominal placement of a graphical object to prevent undesired over plotting of graphical objects on the graphical image [col. 6 lines 10-17]. Thus, the rules of Hollingsworth provide an automatic location property for the identified object without moving the object in the drawing.

Appellant further argues Hollingsworth fails to teach or suggest the value of a property of the object is obtained from property data of another object based on the location of the primary object. However, the claim limitation recites, "a value property of the identified object is obtained from property data of the other object, area, or spaced based on the location of the identified object" [claim 1(c ii)]. As stated above, each rule of Hollingsworth contains information regarding nominal placement of the graphical object, where the nominal placement includes offset coordinates *relative to the placement of a related graphical object* [col. 6 lines 10-17] (emphasis added). Thus the placement rules of Hollingsworth teach the location of objects in relation to others.

Appellant further argues Hollingsworth fails to teach or suggest the limitation, "obtaining a drawing" [claim 1(a)]. However, the drawing is obtained from the computer program *per se*, meaning, retrieving the data from the computer program, which Hollingsworth teaches. From Appellant's argument, it seems that Appellant's term of "obtaining" is more defined as opening a previously user-created drawing, however this is not clearly defined in the limitations of the claim.

Appellant argues Hollingsworth fails to teach or suggest an automatic door number. Examiner respectfully disagrees. The rules of Hollingsworth provide a means for defining rules for a text string to be drawn on the object. This provides a means for automatically labeling a graphical object with text, such as with a number as claimed. Furthermore, as Hollingsworth teaches and also discussed above, the user-defined rules are used to determine the proper placement of the graphical objects on the graphical image [col. 4 lines 64-66]. The location of the text is determined based on the nominal placement where as stated above, the nominal placement includes offset coordinates relative to the placement of a related graphical object. The placement rules are used to modify the nominal placement of a graphical object to prevent undesired over plotting of graphical objects on the graphical image [col. 6 lines 10-17]. Thus, the rules of Hollingsworth labels the door based on the rules property, which in turn takes into account the other graphical objects i.e., the door.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

Michelle K. Lay

Conferees:

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KEE M. TUNG
SUPERVISORY PATENT EXAMINER

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